



Senate

General Assembly

January Session, 2009

File No. 414

Senate Bill No. 497

Senate, April 2, 2009

The Committee on Environment reported through SEN. MEYER of the 12th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING THE REIMBURSEMENT OF MUNICIPAL ADVERTISING COSTS AND PET ADOPTIONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22-332 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2009*):

3 (a) The Chief Animal Control Officer, any animal control officer or
4 any municipal animal control officer shall be responsible for the
5 enforcement of this chapter and shall make diligent search and inquiry
6 for any violation of any of its provisions. Any such officer may take
7 into custody (1) any dog found roaming in violation of the provisions
8 of section 22-364, (2) any dog not having a tag or plate on a collar about
9 its neck or on a harness on its body as provided by law or which is not
10 confined or controlled in accordance with the provisions of any order
11 or regulation relating to rabies issued by the commissioner in
12 accordance with the provisions of this chapter, or (3) any dog found
13 injured on any highway, neglected, abandoned or cruelly treated. The
14 officer shall impound such dog at the pound serving the town where

15 the dog is taken unless, in the opinion of a licensed veterinarian, the
16 dog is so injured or diseased that it should be destroyed immediately,
17 in which case the municipal animal control officer of such town may
18 cause the dog to be mercifully killed by a licensed veterinarian or
19 disposed of as the State Veterinarian may direct. The municipal animal
20 control officer shall immediately notify the owner or keeper of any dog
21 so taken, if known, of its impoundment. Such officer shall immediately
22 notify the owner or keeper of any other animal which is taken into
23 custody, if such owner or keeper is known. If the owner or keeper of
24 any such dog or other animal is unknown, the officer shall
25 immediately tag or employ such other suitable means of identification
26 of the dog or other animal as may be approved by the Chief Animal
27 Control Officer and shall promptly cause a description of such dog or
28 other animal to be published once in the lost and found column of a
29 newspaper having a circulation in such town.

30 (b) If such dog or other animal is not claimed by and released to the
31 owner within seven days after the date of publication, the municipal
32 animal control officer, upon finding such dog or other animal to be in
33 satisfactory health, may have a licensed veterinarian spay or neuter
34 such dog and sell such dog or other animal to any person who satisfies
35 such officer that he is purchasing it as a pet and that he can give it a
36 good home and proper care. The municipal animal control officer may
37 retain possession of such dog or other animal for such additional
38 period of time as he may deem advisable in order to place such dog or
39 other animal as a pet and may have a licensed veterinarian spay or
40 neuter such dog. If, within such period, any dog or other animal is not
41 claimed by and released to the owner or keeper or purchased as a pet,
42 the officer shall cause such dog or other animal to be mercifully killed
43 by a licensed veterinarian or disposed of as the State Veterinarian may
44 direct. Any veterinarian who so destroys a dog shall be paid from the
45 dog fund account. No person who so destroys a dog or other animal
46 shall be held criminally or civilly liable therefor nor shall any licensed
47 veterinarian who spays or neuters a dog pursuant to this section be
48 held civilly liable, including, but not limited to, liability for
49 reconstructive neutical implantation surgery.

50 (c) The town treasurer or other fiscal officer shall pay from the dog
51 fund account the advertising expense incurred under the provisions of
52 this section upon receipt of an itemized statement together with a copy
53 of the advertisement as published. Any person who purchases [a] an
54 unclaimed dog as a pet shall pay a fee of five dollars and for the
55 advertising expense incurred by the municipality under this section,
56 and shall procure a license and tag for such dog from the town clerk, in
57 accordance with the provisions of section 22-338.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2009</i>	22-332
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ENV *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: None

Municipal Impact:

Municipalities	Effect	FY 10 \$	FY 11 \$
Various Municipalities	Revenue Gain	Minimal	Minimal

Explanation

The bill would result in a minimal revenue gain to municipalities since it requires persons purchasing unclaimed dogs as pets to reimburse the municipality for advertising costs related to the dog.

The cost to advertise an unclaimed dog in a locally circulated newspaper is about \$25 and the current fee to adopt an animal from a municipal animal shelter is \$5.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of unclaimed dogs advertised in locally circulated newspapers.

OLR Bill Analysis**SB 497*****AN ACT CONCERNING THE REIMBURSEMENT OF MUNICIPAL ADVERTISING COSTS AND PET ADOPTIONS.*****SUMMARY:**

This bill requires anyone who purchases an unclaimed dog from a municipal pound to pay for the cost incurred by the animal control officer (ACO) in searching for its owner (see BACKGROUND).

Also under current law, the dog's purchaser must pay a \$5 fee. The bill appears to eliminate the \$5 fee for people who purchase dogs that are not unclaimed (e.g., when the town knows the dog's source).

EFFECTIVE DATE: October 1, 2009

BACKGROUND***ACOs' and Towns' Responsibilities Concerning Roaming or Stray Dogs***

By law, ACO may take into custody (1) any roaming dog; (2) any dog not (a) having a tag or plate on its collar, (b) leashed, or (c) confined or under control as required by any order of the commissioner or regulation relating to rabies; or (3) any dog found injured on any highway, neglected, abandoned, or cruelly treated. The ACO must impound such a dog at the municipality's pound where it was found, unless a licensed veterinarian decides the dog's injuries or disease warrants it being destroyed. If so, the ACO may have the dog mercifully killed by a licensed veterinarian or disposed of as the state veterinarian may direct (CGS § 22-332).

If the ACO knows the owner or keeper of a dog or animal that he takes into custody, the ACO must immediately notify him that his or her dog or animal was impounded.

If its owner or keeper is unknown, the ACO must (1) immediately tag or use another approved means to identify the dog or animal and (2) promptly publish a description of the dog or animal once in the lost and found column of a newspaper that has circulation in the municipality where the dog was found. The municipal treasurer or other fiscal office must pay for the advertising cost to locate a dog's owner from the town's dog fund account.

COMMITTEE ACTION

Environment Committee

Joint Favorable

Yea 30 Nay 0 (03/20/2009)